

**September 13, 2010**

**BINGHAMTON, NY -Today**, U.S. Rep. Michael Arcuri (NY-24) attended the Environmental Protection Agency's (EPA) Public Meeting on their proposed Hydraulic Fracturing Research Study at the Broome County Forum Theater in Binghamton, NY. Below are Arcuri's remarks during the public officials comment period as prepared for delivery.

"Good afternoon. As has been demonstrated by the enormous public interest in this forum over the past few weeks, many Upstate New Yorkers have questions regarding the safety of the Hydraulic Fracturing process and natural gas drilling in general. As we consider whether or not to open up New York State's portion of the Marcellus Shale Deposit to development, it is important to separate the fact from fiction and give the citizens that would be affected the opportunity to participate in the discussion."

"I want to thank the EPA for hosting this forum and for allowing me the opportunity to speak. Also, I want to thank all the citizens who have undoubtedly taken time off from work or traveled some distance to be here today, for thoughtfully participating in this process.

"As I have said from the very beginning, I am not opposed to development in the Marcellus Shale Deposit here in Upstate New York. Natural Gas is a tremendous resource with the potential for significant economic benefits. However, we must ensure that a rush to drill and reap those benefits does not come at the expense of our greatest natural resource-our abundant supply of clean water.

"Currently, oil and gas companies enjoy exemptions from nearly every major piece of environmental protection law on the books.

"If the BP oil spill in the Gulf of Mexico has taught us anything, it is that accidents can happen-no matter how unlikely we are told they are-and when they do, they have the potential to be devastating.

"Congressman Hinchey and I have fought to ensure that the lessons learned from that disaster are applicable to onshore as well as offshore drilling. In the House passed CLEAR Act, we included language that would help protect surface water from drilling site runoff contamination by removing the special exemption that the oil and natural gas industries enjoy from the EPA's stormwater permit requirements under the Clean Water Act for the construction of drilling sites.

"Hydraulic fracturing of the Marcellus Shale will likely involve the construction of hundreds, if not thousands of drilling pads. Since much of the subject area in NYS is either forest or farm land, it should be expected that constructing these drill pads will also require the construction of a significant amount of access roads as well. All of this construction activity will entail significant disturbance to the top soil, creating the potential for erosion and stormwater runoff into the area's rivers and streams.

Additionally, much of the Chesapeake Bay watershed overlies the Marcellus Shale. With the EPA just issuing limits on the amount of sediment each state in the watershed can contribute from all sources, the potential for increased runoff is of concern.

"Although this exemption from permitting requirements remains until this legislation is signed into law, this does not prevent the EPA from studying the potential impacts on water caused by sediment runoff from drilling construction sites and the potential increase in the maximum daily load of runoff this will create.

"We need to ensure proper techniques are used to prevent spills of fluids and gas leaking out of wells into drinking water-both now and long-term, when the original company has sold or abandoned the well. In the event of a spill it is also vital that we know what chemicals are being used - and have been used in the past; something gas companies have been protected from sharing as a "trade secret."

"I would like to request that the EPA include in its study an assessment of whether it is chemically and/or economically feasible to require companies to include a unique inert chemical in their fracking fluid that would act as a chemical signature. In the event of a leak, contamination -or illegal dumping of drilling wastewater, would help determine which company the fluid belongs to.

"These efforts do not over regulate or add burdens that would prevent natural gas development from being profitable. Rather, they force natural gas companies to play by the same environmental rules as every other industry. And aim to ensure that they put the same effort into protecting the health and wellbeing of the environment and our communities as they do into making profits.

"New York's natural gas reserves are not declining in value as they wait to be developed. And while I support the future development of the Marcellus Shale Deposit, which holds the promise of new jobs and economic opportunities for Upstate families, we must insure we move forward in a way that protects to our water. Something I am confident we can do. After all, energy is very important to our future, but clean water is absolutely critical. Thank you."

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